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 Gerald C. Barker, Dennis C. Bucek,
 Charles W. Cantoni, Kevin P. Connors,
 Vittorio Fossati-Bellani, Robert M. Gelber,
 John H. Hart, James L. Hobart, Kevin McCarthy,
 Paul L. Meissner, Gary W. Rogerson,
 Helene Simonet, Luis Spinelli, James L. Taylor,
 Lawrence Tomlinson, Ronald A. Victor,
 Sandeep Vij and Nominal Defendant Coherent, Inc.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

JAMES M. LEE,
 Derivatively on Behalf of COHERENT, INC.,

Plaintiff,

v.

JOHN R. AMBROSEO, BERNARD J.
 COUILLAUD, HELENE SIMONET, LUIS
 SPINELLI, VITTORIO FOSSATI-BELLANI,
 RONALD A. VICTOR, PAUL L. MEISSNER,
 SCOTT H. MILLER, DENNIS C. BUCEK,
 CHARLES W. CANTONI, SANDEEP VIJ,
 JOHN H. HART, LAWRENCE TOMLINSON,
 ROBERT J. QUILLINAN and GARRY W.
 ROGERSON,

Defendants,

- and -

COHERENT, INC., a Delaware corporation,

Nominal Defendant.

CASE NO.: C-07-0955-JF

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE INITIAL
 CASE MANAGEMENT
 CONFERENCE**

STIPULATION AND [PROPOSED] ORDER
 TO CONTINUE CASE MANAGEMENT
 CONFERENCE, CASE NOS. C-07-0955-JF; C-
 07-1264 JF; C-07-1265-JF

1 J. DAVIS BARTHOLOMEW,) CASE NO.: C-07-1264-JF
 2 Derivatively on Behalf of COHERENT, INC.,)
 3 Plaintiff,)
 4 v.)
 5 JOHN R. AMBROSEO, BERNARD J.)
 6 COUILLAUD, HELENE SIMONET, LUIS)
 7 SPINELLI, VITTORIO FOSSATI-BELLANI,)
 8 RONALD A. VICTOR, PAUL L. MEISSNER,)
 9 SCOTT H. MILLER, DENNIS C. BUCEK,)
 CHARLES W. CANTONI, SANDEEP VIJ,)
 JOHN H. HART, LAWRENCE TOMLINSON,)
 ROBERT J. QUILLINAN and GARRY W.)
 ROGERSON,)
 10 Defendants,)
 11 - and -)
 12 COHERENT, INC., a Delaware corporation,)
 13 Nominal Defendant.)
 14

15 MICHAEL WERNER,) CASE NO.: C-07-1265-JF
 16 Derivatively on Behalf of COHERENT, INC.,)
 17 Plaintiff,)
 18 v.)
 19 BERNARD J. COUILLAUD, JOHN R.)
 20 AMBROSEO, CHARLES W. CANTONI, JOHN)
 21 H. HART, ROBERT J. QUILLINAN, JAMES L.)
 22 HOBART, HENRY E. GAUTHIER, ROBERT)
 23 M. GELBER, SCOTT H. MILLER, KEVIN P.)
 CONNORS, GERALD C. BARKER,)
 VITTORIO FOSSATI-BELLANI, JAMES L.)
 TAYLOR, KEVIN MCCARTHY, LUIS)
 SPINELLI, RON VICTOR, and HELENE)
 SIMONET,)
 24 Defendants,)
 25 - and -)
 26 COHERENT, INC.,)
 27 Nominal Defendant.)
 28

1 WHEREAS, plaintiff James Lee has filed a motion to consolidate the above-captioned
2 shareholder derivative actions and to appoint lead plaintiff and lead counsel, and plaintiff
3 Michael Werner has filed a separate motion to consolidate these actions and to appoint lead
4 counsel;

5 WHEREAS, the hearing regarding plaintiff Lee's and plaintiff Werner's motions to
6 consolidate and to appoint lead plaintiff and/or lead counsel is set for May 25, 2007 at 9:00 a.m.;

7 WHEREAS, the Initial Case Management Conference is currently set for May 25, 2007;

8 WHEREAS, the parties wish to avoid the premature preparation of multiple case
9 management submissions prior to the consolidation of the above-referenced actions and the
10 designation of lead plaintiff and/or lead counsel;

11 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,
12 subject to the approval of the Court, that the Initial Case Management Conference in the above-
13 captioned actions shall be continued until thirty (30) days after the date of entry of an order
14 consolidating the actions and appointing lead counsel and/or lead plaintiff, or such other later
15 date that the Court deems appropriate, and that the related case management deadlines shall be
16 adjusted accordingly.

1 **IT IS SO STIPULATED.**

2
3 Dated: May 16, 2007

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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5
6 By: /s/ Diane M. Walters
 Diane M. Walters

7 Attorneys for Defendants John R. Ambroseo,
8 Gerald C. Barker, Dennis C. Bucek,
9 Charles W. Cantoni, Kevin P. Connors,
10 Vittorio Fossati-Bellani, Robert M. Gelber,
11 John H. Hart, James L. Hobart, Kevin
12 McCarthy, Paul L. Meissner, Gary W.
13 Rogerson, Helene Simonet, Luis Spinelli,
14 James L. Taylor, Lawrence Tomlinson,
15 Ronald A. Victor, Sandeep Vij, and
16 Nominal Defendant Coherent, Inc.

17
18
19
20 Dated: May 16, 2007

HELLER EHRMAN LLP

21
22 By: /s/ Charles R. Jaeger
 Charles R. Jaeger

23 Attorneys for Defendant Scott H. Miller

24
25
26
27
28 Dated: May 16, 2007

FARELLA BRAUN & MARTEL LLP

29 By: /s/ C. Brandon Wisoff
 C. Brandon Wisoff

30 Attorneys for Defendant Bernard J. Couillaud

1 Dated: May 16, 2007

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS, LLP

2
3 By: /s/ Shawn Williams
4 Shawn Williams

5 Attorneys for Plaintiff James M. Lee

6
7 Dated: May 16, 2007

SCHIFFRIN BARROWAY TOPAZ &
KESSLER, LLP

8
9 By: /s/ Nichole Browning
10 Nichole Browning

11 Attorneys for Plaintiff Michael Werner

12
13 Dated: May 16, 2007

JOHNSON BOTTINI LLP

14
15 By: /s/ Frank J. Johnson
16 Frank J. Johnson

17 Attorneys for Plaintiff J. Davis Bartholomew

18 The Case Management Conference is rescheduled to Friday July 13, 2007 at 10:30 AM.

19 **IT IS SO ORDERED.**

20
21 Dated: May 18, 2007


The Honorable Jeremy Fogel
United States District Court Judge

1 I, Diane M. Walters, am the ECF user whose identification and password are being used
2 to file the STIPULATION AND [PROPOSED] ORDER TO CONTINUE INITIAL CASE
3 MANAGEMENT CONFERENCE. In compliance with General Order 45.X.B, I hereby attest
4 that Charles R. Jaeger, C. Brandon Wisoff, Shawn Williams, Nichole Browning and Frank
5 Johnson have concurred in this filing.

6
7 Dated: May 16, 2007

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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9
10 By: /s/ Diane M. Walters
Diane M. Walters